

REMARKS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 9-17, 19-22, and 24-26 are in this application. Claims 1-8, 18 and 23 are canceled. Cancellation of claims 18 and 23 should not be construed as an agreement by Applicants with the Examiner's rejections. Applicants reserve the right to continue prosecution of any or all of these canceled claims in one or more continuation applications.

In the Office Action, the Examiner indicated that claims 18 and 23 would be allowable if rewritten in independent form.

Claims 9-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Amada (US 5,465,180) in view of Arai (US 5,576,758) and Dyer (US 4,122,498).

Independent claim 9, as amended herein, recites in part as follows:

“...wherein said recording section reserves a space in between upper and lower portions of a given track for editing.”

In the Office Action, the Examiner indicated that claims 18 and 23 were allowable. Independent claim 9 has been amended to include features of allowable dependent claim 18. Accordingly, amended independent claim 9 is believed to be distinguishable from the applied combination of Amada, Arai, and Dyer.

For reasons similar or somewhat similar to those described above with regard to independent claim 9, amended independent claim 15 is believed to be distinguishable from the applied combination of Amada, Arai, and Dyer.

Claims 10-14 and 16 depend from one of claims 9 and 15, and, due to such dependency, are believed to be distinguishable from the applied combination of Amada, Arai, and Dyer for at least the reasons previously described.

Claims 17, 19, 20, 22, and 24-26 were rejected under 35 U.S.C. §102(b) as being anticipated by Minami (US 5,136,391).

Independent claims 17, 22, and 25 have been amended to include features of allowable dependent claim 18. Accordingly, amended independent claims 17, 22, and 25 are believed to be distinguishable from Minami as applied by the Examiner.

Claims 19, 20, 24, and 26 depend from one of claims 17, 22, and 25, and, due to such dependency, are believed to be distinguishable from Minami as applied by the Examiner for at least the reasons previously described.

Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Minami in view of Arai and Dyer.

Claim 21 depends from claim 17, and, due to such dependency, includes the allowable features of dependent claim 18. Accordingly, claim 21 is believed to be allowable over the applied combination of Minami, Arai, and Dyer.


In the event, that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

The Commissioner is hereby authorized to charge any insufficient fees or credit
any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Dennis M. Smid", is written over a horizontal line.

Dennis M. Smid
Reg. No. 34,930
(212) 588-0800